S.B. CIVIL WRIT PETITION NO.3046/2003
Puran Singh
vs
Rajasthan High Court & Anr.

DATE OF ORDER:17.5.2006.

HON'BLE MR.R.C. GANDHI, J.

Mr.JK Chanda,for the petitioner.
Mr. Sangeet Lodha, for the respondents

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(ORAL)

The petitioner was appointed for a period of one year purely on temporary basis in terms of Rule 23(3) of the Rajasthan Subordinate Courts Ministerial Establishment Rules, 1986. He appeared in the competitive test for the post of LDC twice and failed. Pursuant to the judgment of the court delivered in S.B. Civil Writ Petition No.705/1991-Chandvir Singh Vs. High Court of Rajasthan decided on 17.1.1992 the services were discontinued. The petitioner preferred appeal, which came to be dismissed. The petitioner has challenged the dismissal order of appeal and also seeks that he be exempted from passing the test, which is the discretion of the Hon'ble the Chief Justice in terms of the Rules. He has annexed Annex.8 with the petition, which indicates that Hon'ble the Chief Justice has granted exemption to pass recruitment test to those who are temporarily appointed in the High Court and the Special Courts to the post of LDCs. The petitioner seeks

similar treatment. Before seeking such treatment, he should have made a demand. Learned counsel for the petitioner has frankly submitted that the petitioner has not made such demand for seeking appointment by relaxation and exemption of test. He seeks withdrawal of the writ petition as he wants to approach the Hon'ble Chief Justice to seek exemption and similar treatment, with permission to file fresh writ petition in case any occasion arises to do so.

The writ petition is accordingly dismissed as withdrawn reserving liberty as prayed for.

(R.C. Gandhi), J.

c.p.goyal/-